

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	C.R. NO. C-09-147M
	§	
CARMELO LOPEZ-NIEVES	§	

ORDER OF DETENTION PENDING TRIAL

On February 18, 2009, a detention hearing was held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of defendant pending trial in this case:

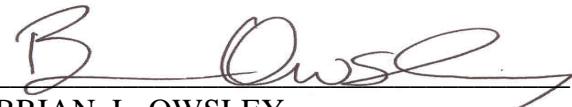
- (1) There is probable cause to believe the defendant committed an offense for which a term of imprisonment carries a maximum term of ten years pursuant to 8 U.S.C. § 1326.
- (2) Defendant has not established any evidence that there are any conditions or combination of conditions that will reasonably assure the appearance of the defendant as required.

The evidence against defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report, as well as the testimony by Agent Corey Washington, are adopted.

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on a request of an attorney for the Government, the person in

charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 18th day of February 2009.



BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE